

REMARKS

In the outstanding Office Action Claim 5 was rejected under 35 USC §102(b) as anticipated by United States Patent No. 5,269,983 to *Schulz*. Moreover, Claims 1-6 and 6-16 were rejected as unpatentable over Schulz '983 in view of *Grupe*, United States Patent No. 5,215,617. It was noted that *Grupe* taught the use of engraved rubber embossing rollers having a Shore A hardness of 100 or less, preferably from about 50 to about 80 Shore A hardness.

The cited references fail to teach or suggest the use of one hard embossing roller and one relatively soft embossing roller having a Shore A hardness of from about 40 to about 65 to emboss paper incorporating recycled pulp containing contaminants. The invention avoids expensive damage to embossing stations, especially when the contaminants include "stickies", an especially problematical contaminant posing a significant obstacle to the cost-effective use of recycle fiber in towel and tissue products.

All of the independent claims have been amended to specifically recite the use of recycle fiber in the process of the invention and limited to the preferred hardness (softness) range for the soft engraved roller. Moreover, claims have been added to specifically refer to reducing wear due to contaminants including stickies in the pulp. Support for the amendatory language added to the claims is found on page 1, lines 11-12 as well as pages 2-3 of the application as filed.

As amended, the claims are believed in condition for allowance.

Neither *Schulz* '983 nor *Grupe* '617 suggests nor mentions problems associated with processing recycle fiber, nor reducing excessive wear due to contaminants in the pulp. Moreover, the range of Shore hardness claimed is not disclosed by *Grupe* '617 which discloses Shore hardness from 100 to 50:

As used herein, the term "rubber" means any material which has a hardness of about 100 Shore A or less, preferably from about 50 to about 80 Shore A hardness. Such materials can be easily laser engraved to the desired embossing element shape and they are more forgiving to the web

being embossed such that the strength of the web is not degraded as much as when using steel/steel matched embossing rolls.

Thus, the art does not direct one to the claimed hardness range for the soft rubber roll of the process of the invention. Moreover, there is no suggestion whatsoever to utilize the claimed combination with recycle pulp containing stickies or other contaminants. As shown in Figure 2b of the present case the deformable roll will conform about a contaminant and prevent damage to an embossing station, a highly desirable result. The claims should be allowed.

This response is believed timely filed. If an extension of time is required, please consider this a petition therefore and charge the fee to our Deposit Account No. 50-0935. Likewise, if fees for additional claims are due, please charge them to our Deposit Account No. 50-0935.

In view of the above amendments and remarks, this application is believed in condition for allowance. If for any reason the Examiner would like to discuss this case, the Examiner is invited to call at the number listed below.

Respectfully submitted,



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June 4, 2002